



STATE OF UTAH
NATURAL RESOURCES
Water Rights

Norman H. Bangerter, Governor
Dee C. Hansen, Executive Director
Robert L. Morgan, State Engineer

Southwestern Area • 585 N. Main Street • P.O. Box 506 • Cedar City, UT 84720-0506 • 801-586-4231

April 6, 1989

Derrell Johnson
2275 Haun Avenue
Salt Lake City, UT 84121

Affiliated Management, Inc.
P. O. Box 26944
Salt Lake City, UT 84125

Re: Paria River Drainage-Henrieville Area, Underground Water
Wells & Henrieville Creek Seeps

Gentlemen:

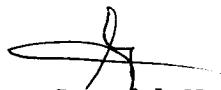
In conversations with Eugene Quilter over the past 10 months it is suspected that the pumping of wells owned and operated by or for Derrell Johnson and Affiliated Management that the discharge from these wells has caused a direct interference to seeps and springs that arise in Henrieville Creek below the irrigation company diversion dam. Mr. Quilter has made a record of measurements on the spring source, which includes his diversion and the flows that bypass his system and a brief review of those records and the past history we have on this problem seem to indicate that interference does exist.

It would seem appropriate at this time that you contact Mr. Quilter to discuss this problem and try to work it out among yourselves. If it requires legal action then the cost of a settlement would be enormous for the amount of flow involved. A study would have to be made by either independent engineers or government agencies and this would be time consuming and expensive to tax payers or those implicated. Secondly, if the courts have to try the case then attorney fees and court costs become quite burdensome.

We have been somewhat aware of this potential problem since the early 1970's and apparently it will not mend itself. If I could be of service in bringing the different parties together for a discussion on the matter and a possible settlement I would try to meet that kind of a schedule. It is important that we try to move ahead on this matter as soon as possible since it appears to be a critical water year in southern Utah. If you have any questions concerning this matter I invite you to contact our Cedar City Office for assistance.

Henrieville Creek & Wells
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Yours truly,

A handwritten signature in black ink, appearing to be 'G. Stoker', with a long horizontal flourish extending to the left.

Gerald W. Stoker, P.E.
Area Engineer/Manager

Enclosures: Copy of Quilter 1988 Record

cc Robert L. Morgan, State Engineer

Lee Sim, Distribution Engineer